



*CrI.O.P.(MD) No.12832 of 2023*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

**CrI.O.P.(MD) No.12832 of 2023**

S.T.Ganesan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,  
Thrumangalam Sub Division,  
Madurai District.

2.The Inspector of Police,  
Thirumangalam Town Police Station,  
Madurai District.

3.M.Backialakshmi

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents not to harass the petitioner under the guise of enquiry without due process of law.

For Petitioner : Mr.A.Ananda Raja

For R1 & R2 : Mr.SS.Madhavan  
Government Advocate (CrI.side)



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### **ORDER**

This petition is filed seeking for a direction to the respondent Nos.1 and 2 police not to harass the petitioner under the guise of enquiry.

2.It is submitted by the learned counsel for the petitioner that the petitioner has given some money to the respondent No.3 and on a complaint given by the respondent No.3, the petitioner went to the police station and admitted that he has borrowed some money from the respondent No.3 and also undertaken that he would pay back the money to the respondent No.3 in installments. In spite of that, the respondent No.3 has filed a complaint, basing on which the respondent Nos.1 and 2 police stated to have been harassing the petitioner.

3.The learned Government Advocate (Crl.side) on the other hand submits that the petitioner has voluntarily went to the police station and gave an undertaking that he would pay the money belonging to the respondent No.3 in installments and that in obedience of the said undertaking, the petitioner stated to have paid some money and subsequently, he has not paid any money to the respondent No.3.

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4.The dispute between the petitioner and the respondent No.3 is in respect of recovery of money, which is purely civil in nature. If at all the petitioner has not been adhering to his undertaking given before the police, it is for the respondent No.3 to file appropriate civil suit for recovery of money against the petitioner. The police have no role to play to intervene and resolve the issues in respect of recovery of money between the petitioner and the respondent No.3.

5.At this juncture, the learned Government Advocate (Crl.side) further submits that no petition filed by the respondent No.3 is pending and the respondent Nos.1 and 2 police are not harassing the petitioner. The same is also recorded. Since no further orders can be passed in this petition, this Petition is dismissed.

Speaking : Yes / No  
NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No

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To

- 1.The Deputy Superintendent of Police,  
Thrumangalam Sub Division,  
Madurai District.
- 2.The Inspector of Police,  
Thirumangalam Town Police Station,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**DR.D.NAGARJUN. J.**

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